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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054155
Party	Plaintiff Michigan Job Training Partnership Association
Correspondence Address	LEON E REDMAN BROOKS KUSHMAN PC 1000 TOWN CENTER, 22ND FLOOR SOUTHFIELD, MI 48075-1238 UNITED STATES lredman@brookskushman.com, lsavage@brookskushman.com, ejanda@brookskushman.com
Submission	Motion for Sanctions
Filer's Name	Robert
Filer's e-mail	rbrandenburg@brookskushman.com, lscott@brookskushman.com
Signature	/Robert C. Brandenburg/
Date	08/03/2012
Attachments	motion for sanctions.pdf (5 pages)(39381 bytes) Exhibit A - Order.pdf (4 pages)(18768 bytes) Exhibit B - interrogatories.pdf (11 pages)(297683 bytes) Exhibit C - document requests.pdf (16 pages)(422771 bytes) Exhibit D - email.pdf (2 pages)(62704 bytes) Exhibit E - Exhibit A to Petition for Cancellation.pdf (28 pages)(1350582 bytes) Exhibit F - First Requests for Admission to Registrant.pdf (5 pages)(97818 bytes)

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

MICHIGAN JOB TRAINING)	
PARTNERSHIP ASSOCIATION)	Cancellation No. 92054155
)	
Petitioner,)	
)	Registration No. 3,598,442
v.)	
)	
DAVID E. HOFFMAN JR.)	
)	
Registrant.)	

**PETITIONER’S MOTION FOR SANCTION AND
MEMORANDUM IN SUPPORT**

Petitioner, Michigan Job Training Partnership Association (“Petitioner”), hereby moves pursuant to 37 C.F.R. § 120(g) for sanctions arising from Registrant, David E. Hoffman Jr. (“Registrant”) failure to comply with the Board’s order of June 20, 2012 compelling discovery of on Petitioner’s First Set of Interrogatories to Registrant and Petitioner’s First Request for the Production of Documents and Things to Registrant (Order, **Exhibit A**: Interrogatories, **Exhibit B**; Production Requests, **Exhibit C**). Petitioner requests as sanctions that the Cancellation be granted and Registration No. 3,598,442 cancelled.

The basis for this motion is that Registrant has failed to comply with the Board’s order of June 20, 2012, as more fully explained in the brief in support.

MEMORANDUM IN SUPPORT

A. Procedural History

Petitioner served Petitioner’s First Set of Interrogatories to Registrant and Petitioner’s First Request for the Production of Documents and Things to Registrant on January 20, 2012 via

email and first class mail. (**Exhibits B and C.**) Registrant has failed to respond to any of Petitioner's discovery requests, which responses were due by February 19, 2012 or even acknowledge receipt.

On March 14, 2012 Petitioner sent a letter to Registrant via first-class mail and email in Petitioner's good-faith effort to obtain responses from Registrant in compliance with 37 C.F.R. § 2.120(e)(1). In that letter Petitioner requested responses by March 21, 2012 notwithstanding the February 19, 2012 due date. Registrant did not respond to any of the discovery or even acknowledge receipt of the March 14, 2012 letter.

Registrant's failure to respond to any of Petitioner's discovery requests resulted in Petitioner filing on March 29, 2012 the motion to compel that underlies the Board's order of June 20, 2012. Again, Registrant did not respond.

Petitioner's motion to compel discovery was granted as conceded. See Trademark Rule 2.127(a). (**Exhibit A.**) The Order was mailed on June 20, 2012 and provided in relevant part:

Respondent is allowed until thirty days from the mailing date set forth in this order to serve responses without objection to petitioner's first set of interrogatories and first set of document requests. Respondent is allowed until thirty days from the mailing date set forth in this order to select, designate and identify the items and documents, or categories of items and documents, to be produced without objection in response to petitioner's document requests and to notify petitioner that the selection, designation and identification of such items and documents has been completed.

Again there was no response.

On July 17, 2012, the PTO posted on ttabvue a document showing that the Board mailing to Registrant had been returned because the Post Office Box used by Registrant as his address had been closed. To give Registrant another opportunity to comply with the Board's order, a

copy of the order was emailed by Petitioner to the two email addresses listed on ttavvue for Registrant. The email (**Exhibit D**) ended by stating:

Please inform us as to whether you have responded or will be responding to the Order. Also, do you have a new mailing address?

If we do not receive any response from you by July 31, 2012, we will move for sanctions for your failure to participate in discovery and seek sanctions, including cancellation of your registration.

Again, there has been no response from Registrant.

B. Sanctions Requested

37 C.F.R. § 120(g)(1) provides, in relevant part:

If a party fails to participate in the required discovery conference, or if a party fails to comply with an order of the Trademark Trial and Appeal Board relating to disclosure or discovery, including a protective order, the Board may make any appropriate order, including those provided in Rule 37(b)(2) of the Federal Rules of Civil Procedure, except that the Board will not hold any person in contempt or award expenses to any party.

The sanctions available from Rule 37(b)(2) “include the following:

- (i) directing that the matters embraced in the order or other designated facts be taken as established for purposes of the action, as the prevailing party claims;
- (ii) prohibiting the disobedient party from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;
- (iii) striking pleadings in whole or in part;
- (iv) staying further proceedings until the order is obeyed;
- (v) dismissing the action or proceeding in whole or in part;
- (vi) **rendering a default judgment against the disobedient party;...**”

In this case, the entry of a default judgment against Registrant and cancellation of the registration at issue is the appropriate sanction. Since the discovery was served in January, there has been a complete failure of Registrant to participate in this Cancellation. Registrant has

allowed his post office box, constituting his mailing address for this proceeding, to close and does not respond to other communications.

Exhibit A to the Petition (**Exhibit E**) evidences continual use of the JOBFORCE Marks by Petitioner for every year from 1999 through 2010. This use clearly predates the September 23, 2008 filing date relied on by Mr. Hoffman, and the September 1, 2008 first-use date of JOBFORCE submitted by Mr. Hoffman with respect to the Registration. The requests to admit that went unrefuted in February prevent Registrant from arguing any use prior to 2008. (**Exhibit F**, Request No. 5.)

Any lesser sanction will allow this case to go forward to the ultimate foregone conclusion of the cancelation being entered, with the attendant unnecessary additional expenses to the Petitioner and the Board. Further, it is in the public interest that the trademark registry be corrected as soon as possible.

CONCLUSION

For the foregoing reasons, Petitioner asks that the Board grant this motion for sanctions and order Registration No. 3,598,442 cancelled.

Respectfully submitted,

By: /Robert C. Brandenburg/
Leon E. Redman
Robert C. Brandenburg
Elizabeth F. Janda
Attorneys/Agent for Petitioner

Date: March 29, 2012

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Tel: (248) 358-4400

CERTIFICATE OF SERVICE

I certify that I served:

PETITIONER'S MOTION FOR SANCTION AND MEMORANDUM IN SUPPORT

on August 3, 2012 by:

X delivering (via email by agreement)

X mailing (via First-Class mail)

a copy to:

David E. Hoffman Jr.
P.O. Box 16265
Washington DC 20041
david@jobforce.tv
david@hoffmaninternet.com

/Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda

EXHIBIT A

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

Mailed: June 20, 2012

Cancellation No. 92054155

Michigan Job Training
Partnership Association

v.

David E Hoffman Jr

Andrew P. Baxley, Interlocutory Attorney:

Petitioner's motion (filed March 29, 2012) to compel discovery is hereby granted as conceded. See Trademark Rule 2.127(a).

Respondent is allowed until thirty days from the mailing date set forth in this order to serve responses without objection to petitioner's first set of interrogatories and first set of document requests. Respondent is allowed until thirty days from the mailing date set forth in this order to select, designate and identify the items and documents, or categories of items and documents, to be produced without objection in response to petitioner's document requests and to notify petitioner that the selection, designation and identification of such items

Cancellation No. 92054155

and documents has been completed.¹ Petitioner is allowed until thirty days from receipt of notification from respondent that the items or documents have been selected, designated and identified to inspect and copy the produced materials, as provided for in Fed. R. Civ. P. 34(b) and Trademark Rule 2.120(d)(2), unless the parties otherwise agree.

Proceedings herein are resumed. Dates are reset as follows.

Expert Disclosures Due	7/3/2012
Discovery Closes	8/3/2012
Plaintiff's Pretrial Disclosures	9/17/2012
Plaintiff's 30-day Trial Period Ends	11/1/2012
Defendant's Pretrial Disclosures	11/16/2012
Defendant's 30-day Trial Period Ends	12/31/2012
Plaintiff's Rebuttal Disclosures	1/15/2013
Plaintiff's 15-day Rebuttal Period Ends	2/14/2013

In each instance, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

¹ If the materials are voluminous, respondent may produce a representative sampling and inform petitioner that a representative sampling has been produced. See TBMP Section 402.02 (3d ed. 2011).

Cancellation No. 92054155

If either of the parties or their attorneys should have a change of address, the Board should be so informed promptly.

If respondent fails to comply with this order, petitioner's remedy lies in a motion for sanctions, pursuant to Trademark Rule 2.120(g) (1).

EXHIBIT B

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

MICHIGAN JOB TRAINING)	
PARTNERSHIP ASSOCIATION)	Cancellation No. 92054155
)	
Petitioner,)	
)	Registration No. 3,598,442
v.)	
)	
DAVID E. HOFFMAN JR.)	
)	
Registrant.)	

**PETITIONER'S FIRST SET
OF INTERROGATORIES TO REGISTRANT**

Pursuant to Fed. R. Civ. P. 33 and Rule 2.120 of the Trademark Rules of Practice, Petitioner, Michigan Job Training Partnership Association, submits these Requests to Registrant, David E. Hoffman Jr., and requests that Registrant deliver sworn answers to these Interrogatories to Petitioner's counsel, Brooks Kushman P.C., 1000 Town Center, 22nd Floor, Southfield, Michigan 48075, subject to the below definitions and instructions, within thirty (30) days of service hereof. These Interrogatories are intended to be continuing in nature and any information that may be discovered subsequent to the service by Petitioner of its responses should be brought to Registrant's attention through supplemental answers within a reasonable time following such discovery.

For the convenience of the Board and the parties, Petitioner requests that each Interrogatory be quoted in full immediately preceding the response.

CLAIMS OF PRIVILEGE

If any information responsive to any of the following Interrogatories is withheld on the basis of privilege and/or work-product, the following information is requested with respect to any such refusal: (1) the privilege and/or work-product rule of law being relied upon; (2) the date the document was created; (3) the identity of the person or persons who created the document; (4) the identity of the present custodian; (5) the addressee(s) and all other recipients of the document; (6) the subject matter of the document; and (7) the location of the document.

DEFINITION OF TERMS

These Interrogatories are subject to the following definitions:

1. The term “person” or “individual” includes, but is not limited to, any natural person, corporation, partnership, sole proprietorship, or any other business or legal entity, or any employee, agent, or representative of the foregoing.
2. The term “identify,” when referring to a person, means state the full name, last known home and business address, employer, and job title of such person.
3. The term “identify,” when referring to a document, means state the general nature or type, the general subject matter, title, number of pages, date, author or originator, addressee or recipient, copy recipients, present depository or depositories, name and address of any person(s) having custody, and any other necessary basis for identification of such document.
4. The terms “Petitioner” means Michigan Job Training Partnership Association, the Petitioner in this action, its predecessor or successor corporations, and any of its subsidiaries, divisions, affiliates, and present and former agents, employees, directors, officers, trustees, attorneys, representatives, research and development personnel, and any other person or entity

acting in concert with Michigan Job Training Partnership Association or on behalf of Michigan Job Training Partnership Association.

5. The terms “you,” “your” or “Registrant” mean David E. Hoffman Jr., the Registrant in this action, its predecessor or successor, including any corporations, and any of its subsidiaries, divisions, affiliates, foreign affiliates and present and former agents, employees, directors, officers, trustees, attorneys, representatives, research and development personnel, and any other person or entity acting in concert with Registrant or on behalf of Registrant.

6. Whenever the Interrogatories refer to “Registrant’s Mark,” it refers to Registrant’s mark “JOBFORCE” or “JOB FORCE” in block letters, in stylized form, or any other form.

7. Whenever the Interrogatories refer to “Registrant’s Registration,” it refers to United States Registration No. 3,598,442.

8. Whenever the Interrogatories refer to “Petitioner’s Mark,” they refer to Petitioner’s mark “JOBFORCE” or “THE JOB FORCE BOARD” or “MICHIGAN WORKS! THE JOB FORCE BOARD” in block letters, in stylized form, or any other form.

9. The term “and” includes the term “or,” and the term “or” includes the term “and.”

10. The term “documents” refers to the broadest definition of document under the Federal Rules of Civil Procedure, including drawings, specification, memorandums, and information in computer-readable formats and stored on computer media including but not limited to mass storage devices such as floppy diskettes, hard disks, and also includes e-mail and other documents stored on computer media.

11. The singular of any word includes the plural and the plural of any word includes the singular.

INTERROGATORIES

INTERROGATORY NO. 1.

Identify each person likely to have any information regarding the factual bases for the Allegations 2-12 of the Answer and Affirmative Defense to the Petition for Cancellation, what that information specifically relates to, the likely scope of that information, and their last known address.

ANSWER:

INTERROGATORY NO. 2.

Identify by its common, usual, and ordinary commercial name each service in connection with which Registrant's Mark has been used from the first use of Registrant's Mark to present.

ANSWER:

INTERROGATORY NO. 3.

For each service identified in response to Interrogatory No. 2, identify the date of first use, the nature of the use, each geographic location including each state where each service is or has been performed, and the annual revenue of each service for each such geographic location from the date of first use to present.

ANSWER:

INTERROGATORY NO. 4.

For each geographic location identified in response to Interrogatory No. 3, identify the period(s) of time during which use of Registrant's Mark has occurred from the date of first use to present and identify all periods of non-use of Registrant's Mark for two or more years.

ANSWER:

INTERROGATORY NO. 5.

Identify the period(s) of time during which Registrant has generated revenue from services performed in Michigan under or in connection with Registrant's Mark from the date of first performance of services in Michigan to present and identify all periods of two or more years during which no revenue was generated from the performance of services in Michigan.

ANSWER:

INTERROGATORY NO. 6.

Identify the channels of trade through which Registrant currently markets and/or intends to market each service identified in response to Interrogatory No. 2.

ANSWER:

INTERROGATORY NO. 7.

Identify each instance of any third-party's use of Registrant's Mark or any similar mark on any service, in any service literature, or in any way associated with a service.

ANSWER:

INTERROGATORY NO. 8.

Identify with particularity each instance where Registrant has given warning or made objections to any third-party's use of Registrant's Mark or any similar mark on any service, in any service literature, or in any way associated with a service.

ANSWER:

INTERROGATORY NO. 9.

Identify all media (including, but not limited to, trade journals, newsletters, magazines, advertising, direct-mail, radio programs, television programs, events, trade shows, or conferences), in which Registrant has advertised each service identified in response to Interrogatory No. 2 and Registrant's annual advertising and promotional expenses in the United States for each service identified in response to Interrogatory No. 2 in the media and the type of expenses that are included in compiling the annual advertising and promotional expenses.

ANSWER:

INTERROGATORY NO. 10.

State when and under what circumstances Registrant first became aware of Petitioner's Mark and identify all individuals with knowledge thereof.

ANSWER:

INTERROGATORY NO. 11.

Identify all investigations or studies or inquiries that Registrant has ever conducted or had conducted concerning use and/or registration of Registrant's Mark or any mark comprised of or containing the term "JOBFORCE" or the terms "JOB FORCE" including any investigation of consumer confusion between Registrant's Mark and any other mark or name containing the term the term "JOBFORCE" or the terms "JOB FORCE" including, but not limited to, Petitioner's Mark.

ANSWER:

INTERROGATORY NO. 12.

State whether Registrant ever received an oral or written communication referring or relating in any way to Petitioner or Petitioner's Mark, or any variation thereof, and if the answer is other than an unqualified negative, identify all documents which refer or relate in any way to such communication and all persons knowledgeable of such communication.

ANSWER:

INTERROGATORY NO. 13.

Identify all instances of confusion, mistake, or deception regarding Registrant and Petitioner, or the mark JOBFORCE involved in this proceeding, and if such instances of confusion, mistake, or deception exist, identify each instance of confusion, mistake, or deception.

ANSWER:

INTERROGATORY NO. 14.

State whether any person or entity has entered into an agreement with Registrant regarding use and/or registration of Registrant's Mark, including, but not limited to, license agreements, settlement agreements, coexistence agreements, and consents and, if so, identify each such person or entity and the date of such agreement.

ANSWER:

INTERROGATORY NO. 15.

Identify each witness from whom Registrant intends to introduce testimony during its testimony period in this proceeding and state the substance of each witness' testimony.

ANSWER:

INTERROGATORY NO. 16.

Identify each person who supplied information used in answering the foregoing interrogatories and identify the answer(s) to which he or she supplied information.

ANSWER:

Respectfully submitted,

By: /Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda
Attorneys/Agent for Petitioner

Date: January 20, 2012

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Tel: (248) 358-4400

CERTIFICATE OF SERVICE

I certify that I served:

PETITIONER'S FIRST SET OF INTERROGATORIES TO REGISTRANT

on January 20, 2012 by:

X delivering (via email by agreement)

X mailing (via First-Class mail)

a copy to:

David E. Hoffman Jr.
P.O. Box 16265
Washington DC 20041
david@jobforce.tv

/Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda

Cathy A. Nikkila

From: Cathy A. Nikkila
Sent: Friday, January 20, 2012 3:54 PM
To: david@jobforce.tv
Cc: Leon E. Redman; LEEANNE SCOTT; Elizabeth F. Janda
Subject: Michigan Job Training Partnership Assn v. David E. Hoffman, Jr. - Cancellation No. 92054155
Attachments: First Requests for Admission to Registrant.pdf; First Interrogatories to Registrant.pdf; First Document Requests to Registrant.pdf

Attached please find Petitioner's First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission to Registrant, David Hoffman, Jr., in regard to the above matter.

Cathy Nikkila
Legal Assistant

BROOKS | KUSHMAN

1000 Town Center, 22nd Floor | Southfield, MI 48075
Direct: (248) 226-2809 | Main: (248) 358-4400 | Fax: (248) 358-3351
cnikkila@brookskushman.com | www.brookskushman.com

IMPORTANT/CONFIDENTIAL: This message may be privileged, confidential, or exempt from disclosure under applicable law. If you have received this communication in error, please notify us immediately by return e-mail.

EXHIBIT C

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

MICHIGAN JOB TRAINING)	
PARTNERSHIP ASSOCIATION)	Cancellation No. 92054155
)	
Petitioner,)	
)	Registration No. 3,598,442
v.)	
)	
DAVID E. HOFFMAN JR.)	
)	
Registrant.)	

**PETITIONER'S FIRST REQUEST
FOR THE PRODUCTION OF DOCUMENTS
AND THINGS TO REGISTRANT**

Pursuant to Fed. R. Civ. P. 34 and Rule 2.120 of the Trademark Rules of Practice, Petitioner, Michigan Job Training Partnership Association, submits these Requests to Registrant, David E. Hoffman Jr., and requests that Registrant respond to this request and produce the requested documents and things for inspection and copying at the offices of Petitioner's counsel, Brooks Kushman P.C., 1000 Town Center, 22nd Floor, Southfield, Michigan 48075, subject to the below definitions and instructions, within thirty (30) days of service hereof.

For the convenience of the Board and the parties, Petitioner requests that each Request be quoted in full immediately preceding the response.

CLAIMS OF PRIVILEGE

If any information responsive to any of the following Requests is withheld on the basis of privilege and/or work-product, the following information is requested with respect to any such refusal: (1) the privilege and/or work-product rule of law being relied upon; (2) the date the

document was created; (3) the identity of the person or persons who created the document; (4) the identity of the present custodian; (5) the addressee(s) and all other recipients of the document; (6) the subject matter of the document; and (7) the location of the document.

DEFINITION OF TERMS

These Requests are subject to the following definitions:

1. The term “person” or “individual” includes, but is not limited to, any natural person, corporation, partnership, sole proprietorship, or any other business or legal entity, or any employee, agent, or representative of the foregoing.

2. The term “identify,” when referring to a person, means state the full name, last known home and business address, employer, and job title of such person.

3. The term “identify,” when referring to a document, means state the general nature or type, the general subject matter, title, number of pages, date, author or originator, addressee or recipient, copy recipients, present depository or depositories, name and address of any person(s) having custody, and any other necessary basis for identification of such document.

4. The terms “Petitioner” or Michigan Job Training Partnership Association, the Petitioner in this action, its predecessor or successor corporations, and any of its subsidiaries, divisions, affiliates, and present and former agents, employees, directors, officers, trustees, attorneys, representatives, research and development personnel, and any other person or entity acting in concert with Michigan Job Training Partnership Association or on behalf of Michigan Job Training Partnership Association.

5. The terms “you,” “your” or “Registrant” mean David E. Hoffman Jr., the Registrant in this action, its predecessor or successor, including any corporations, and any of its

subsidiaries, divisions, affiliates, foreign affiliates and present and former agents, employees, directors, officers, trustees, attorneys, representatives, research and development personnel, and any other person or entity acting in concert with Registrant or on behalf of Registrant.

6. Whenever the Document Requests refer to “Registrant’s Mark,” it refers to Registrant’s mark “JOBFORCE” or “JOB FORCE” in block letters, in stylized form, or any other form.

7. Whenever the Interrogatories refer to “Registrant’s Registration,” it refers to United States Registration No. 3,598,442.

8. Whenever the Document Requests refer to “Petitioner’s Mark,” they refer to Petitioner’s mark “JOBFORCE” or “THE JOB FORCE BOARD” or “MICHIGAN WORKS! THE JOB FORCE BOARD in block letters, in stylized form, or any other form.

9. The term “and” includes the term “or,” and the term “or” includes the term “and.”

10. The term “documents” refers to the broadest definition of document under the Federal Rules of Civil Procedure, including drawings, specification, memorandums, and information in computer-readable formats and stored on computer media including but not limited to mass storage devices such as floppy diskettes, hard disks, and also includes e-mail and other documents stored on computer media.

11. The singular of any word includes the plural and the plural of any word includes the singular.

DOCUMENT REQUESTS

DOCUMENT REQUEST NO. 1.

All documents and things that evidence, refer or relate to the allegations of the answers to Allegations 2-12 of the Answer and Affirmative Defense to the Petition for Cancellation.

RESPONSE:

DOCUMENT REQUEST NO. 2.

All documents and things identified or referenced in Registrant's Initial Disclosures.

RESPONSE:

DOCUMENT REQUEST NO. 3.

All documents and things that evidence, refer or relate to Registrant's marketing and promotion, or Registrant's intended marketing and promotion, of services under Registrant's Mark, including a representative sample of each advertisement, sign, display, promotion, and marketing material Registrant has used in connection with Registrant's Mark.

RESPONSE:

DOCUMENT REQUEST NO. 4.

Representative documents and things identifying each service with which Registrant's Mark has been used, is now used, or is intended to be used.

RESPONSE:

DOCUMENT REQUEST NO. 5.

All documents and things evidencing each state in the United States in which Registrant does use or has used Registrant's Mark and Registrant's first use date in each state for all services with which Registrant's Mark has been or is now used.

RESPONSE:

DOCUMENT REQUEST NO. 6.

All documents and things establishing current use of Registrant's Mark on each service with which Registrant's Mark has been used, or is now used from the date of first use to the present.

RESPONSE:

DOCUMENT REQUEST NO. 7.

Representative documents and things evidencing each channel of trade through which Registrant's services are offered, or are intended to be offered, under or in connection with Registrant's Mark, or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 8.

All documents and things concerning trademark searches and investigations relating to Registrant's Mark, conducted by or on behalf of Registrant.

RESPONSE:

DOCUMENT REQUEST NO. 9.

All documents and things concerning trademark searches and investigations relating to Petitioner's Mark, conducted by or on behalf of Registrant.

RESPONSE:

DOCUMENT REQUEST NO. 10.

All documents and things concerning any research, reports, surveys, investigations and studies conducted by or on behalf of Registrant relating to consumer or customer perception or market strength of Registrant's Mark.

RESPONSE:

DOCUMENT REQUEST NO. 11.

All documents and things concerning any research, reports, surveys, investigations, comparisons and studies conducted by or on behalf of Registrant relating to the relatedness of the serviced recited in Registrant's Registration and the services offered by Petitioner under Petitioner's Mark.

RESPONSE:

DOCUMENT REQUEST NO. 12.

All documents and things referring or relating to any and all complaints from, assertions against, or disputes with any third party regarding trademark rights regarding Registrant's Mark in which Registrant has been involved.

RESPONSE:

DOCUMENT REQUEST NO. 13.

All documents and things referring or relating to in any way how Registrant selected Registrant's Mark, including, but not limited to, any documents and things referring or relating to the person(s) with primary responsibility for such selection and the reason for such a selection.

RESPONSE:

DOCUMENT REQUEST NO. 14.

All documents and things referring or relating to in any way all past and existing business relations of any type between Registrant and Petitioner, if any.

RESPONSE:

DOCUMENT REQUEST NO. 15.

All documents and things concerning agreements between Registrant and third parties concerning others' use and/or registration of Registrant's Mark, or a trademark which is similar or identical to Registrant's trademark or design, including, but not limited to, license agreements, consent agreements, coexistence agreements, covenants not to sue, settlement agreements, and assignments.

RESPONSE:

DOCUMENT REQUEST NO. 16.

All documents and things referring or relating to or comprising Registrant's knowledge of Petitioner's Mark, including all documents concerning when and the circumstances under which Registrant first learned of Petitioner's Mark.

RESPONSE:

DOCUMENT REQUEST NO. 17.

All documents and things referring or relating to any communication or notice to Petitioner concerning the possibility that Petitioner's use of Petitioner's Mark, or any variation thereof, might or might not result in confusion or mistake among the public or in any industry.

RESPONSE:

DOCUMENT REQUEST NO. 18.

All documents and things concerning claims and/or evidence of actual confusion between Registrant, Registrant's Mark, and/or the services Registrant's Mark identifies and Petitioner, Petitioner's Mark, and/or the services Petitioner's Mark identifies, or evidencing any confusion, suspicion, belief, or doubt on the part of third parties as to the relationship between Registrant and Petitioner or their respective products or services, including but not limited to any misdirected complaints or inquiries.

RESPONSE:

DOCUMENT REQUEST NO. 19.

All documents and things referring or relating to or comprising any communication, oral or written, received by Registrant from any person which suggests, implies, or infers any connection or association with Petitioner or which inquires as to whether there is any such connection or association.

RESPONSE:

DOCUMENT REQUEST NO. 20.

All documents and things referring or relating to any price lists, advertising and promotional materials in each media used, distributed at any time by or for Registrant, or planned to be distributed by or for Registrant, that depicts, mentions, identifies, or describes any services offered by Registrant under or in connection with Registrant's Mark, or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 21.

All documents and things identifying the publications and broadcast media in which Registrant, or its retailers and licensees, have advertised, are advertising, or have planned to advertise any of Registrant's services promoted under or in connection with Registrant's Mark, or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 22.

Copies of all of Registrant's television commercials, radio scripts, and other media advertising not previously requested in which Registrant's Mark, or any variation thereof, appear or are mentioned.

RESPONSE:

DOCUMENT REQUEST NO. 23.

All documents and things regarding the websites and other Internet and/or online portals on which Registrant has advertised, marketed, promoted, rendered or promoted Registrant's products and/or services in connection with Registrant's Mark or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 24.

All documents and things referring or relating to any Internet domain names owned by Registrant that contain the word "JOBFORCE."

RESPONSE:

DOCUMENT REQUEST NO. 25.

All documents and things referring or relating to the geographic scope of the advertising, distribution and promotion of services related to Registrant's use of Registrant's Mark, or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 26.

All documents and things sufficient to identify Registrant's annual advertising and promotional expenditures for services marketed or promoted under or in connection with Registrant's Mark, or any variation thereof, by geographic or distribution regions from first use to present.

RESPONSE:

DOCUMENT REQUEST NO. 27.

All documents and things sufficient to identify Registrant's annual revenue for services marketed or promoted under or in connection with Registrant's Mark, or any variation thereof, by geographic or distribution regions from first use to present.

RESPONSE:

DOCUMENT REQUEST NO. 28.

All documents and things sufficient to identify Registrant's annual revenue for services marketed or promoted under or in connection with Registrant's Mark, or any variation thereof, in Michigan from first use in Michigan to present.

RESPONSE:

DOCUMENT REQUEST NO. 29.

All documents and things referring or relating to or comprising Registrant's customer lists, prospective customer lists, and mailing lists for Registrant's promotions under or in connection with Registrant's Mark, or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 30.

Representative documents and things evidencing each class or type of purchasers to whom Registrant has marketed and offered, currently markets and offers, and intends to market and offer, each service Registrant's Mark has identified, now identifies, or will identify.

RESPONSE:

DOCUMENT REQUEST NO. 31.

All documents and things referring or relating to, or comprising, any plan Registrant has to expand use of Registrant's Mark, or any variation thereof.

RESPONSE:

DOCUMENT REQUEST NO. 32.

All documents and things evidencing, referring or relating to or comprising any opinion from counsel, whether or not such counsel was employed by Registrant, concerning Registrant's rights in Registrant's Mark, including without limitation all documents identifying the date of such opinion and the attorney rendering the opinion, or discussing any action Registrant may have taken, or considered taking, in reliance upon said opinion.

RESPONSE:

DOCUMENT REQUEST NO. 33.

All documents and things referring or relating to any consideration or contemplation by Registrant whether to register or attempt to register Registrant's Mark.

RESPONSE:

DOCUMENT REQUEST NO. 34.

All documents and things referring or relating to any third party use of Registrant's Mark or any mark similar thereto.

RESPONSE:

DOCUMENT REQUEST NO. 35.

All documents and things other than those produced in response to any of the foregoing requests upon which Registrant intends to rely in connection with this action, including without

limitation, those documents and things referenced by Registrant in Registrant's Initial Disclosures, or to be relied upon by Registrant to support the statements of Registrant in Registrant's Initial Disclosures in this action.

RESPONSE:

DOCUMENT REQUEST NO. 36.

All documents and things not otherwise listed in answers to the interrogatories and document requests, which were referred to or relied upon to prepare the answers to the interrogatories and document requests.

RESPONSE:

Respectfully submitted,

By: /Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda
Attorneys/Agent for Petitioner

Date: January 20, 2012

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Tel: (248) 358-4400

CERTIFICATE OF SERVICE

I certify that I served:

**PETITIONER'S FIRST REQUEST
FOR THE PRODUCTION OF DOCUMENTS
AND THINGS TO REGISTRANT**

on January 20, 2012 by:

X delivering (via email by agreement)

X mailing (via First-Class mail)

a copy to:

David E. Hoffman Jr.
PO Box 16265
Washington DC 20041
david@jobforce.tv

/Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda

Cathy A. Nikkila

From: Cathy A. Nikkila
Sent: Friday, January 20, 2012 3:54 PM
To: david@jobforce.tv
Cc: Leon E. Redman; Leeanne Scott; Elizabeth F. Janda
Subject: Michigan Job Training Partnership Assn v. David E. Hoffman, Jr. - Cancellation No. 92054155
Attachments: First Requests for Admission to Registrant.pdf; First Interrogatories to Registrant.pdf; First Document Requests to Registrant.pdf

Attached please find Petitioner's First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission to Registrant, David Hoffman, Jr., in regard to the above matter.

Cathy Nikkila
Legal Assistant

BROOKS | KUSHMAN

1000 Town Center, 22nd Floor | Southfield, MI 48075
Direct: (248) 226-2809 | Main: (248) 358-4400 | Fax: (248) 358-3351
cnikkila@brookskushman.com | www.brookskushman.com

IMPORTANT/CONFIDENTIAL: This message may be privileged, confidential, or exempt from disclosure under applicable law. If you have received this communication in error, please notify us immediately by return e-mail.

EXHIBIT D

Robert C. Brandenburg

From: Robert C. Brandenburg
Sent: Tuesday, July 24, 2012 9:37 AM
To: david@jobforce.tv; 'david@hoffmaninternet.com'
Cc: Leon E. Redman; Elizabeth F. Janda
Subject: RE: Michigan Job Training Partnership Assn v. David E. Hoffman, Jr. - Cancellation No. 92054155 (BK file MIJT 0101 OC)
Attachments: not from ttab re mijt mtn to compel granted and proceedings resumed
ttabvue-92054155-CAN-15.pdf__2012-6-20_141245.pdf

Dear Mr. Hoffman,

I am writing you on behalf of Michigan Job Training Partnership Assn. regarding the above identified Cancellation.

On June 20, 2012, the Board granted Petitioner's motion (filed March 29, 2012) to compel discovery. A copy of the order is attached. You were given thirty days to serve responses without objection to petitioner's first set of interrogatories and first set of document requests. You were also allowed thirty days to select, designate and identify the items and documents, or categories of items and documents, to be produced without objection in response to petitioner's document requests and to notify petitioner that the selection, designation and identification of such items and documents has been completed.

We have received notice from the Board that the Order they mailed to you on June 20, 2012 was returned undelivered as your P.O. Box was indicated as closed. We have received no response from you.

Please inform us as to whether you have responded or will be responding to the Order. Also, do you have a new mailing address?

If we do not receive any response from you by July 31, 2012, we will move for sanctions for your failure to participate in discovery and seek sanctions, including cancellation of your registration.

Robert C. Brandenburg
Senior Attorney

BROOKS | KUSHMAN

1000 Town Center, 22nd Floor | Southfield, MI 48075

Main: (248) 358-4400 | Fax: (248) 358-3351

rbrandenburg@brookskushman.com | www.brookskushman.com

EXHIBIT E

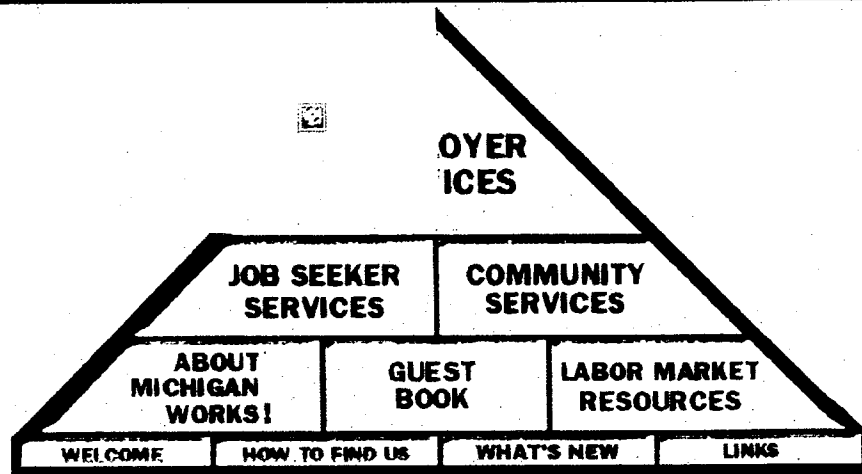


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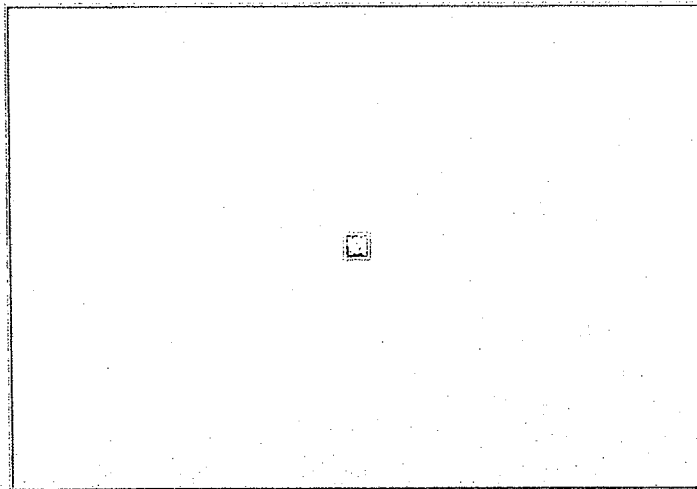
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Welcome to MichiganWorks! The Job Force Board



The new Gordon Foods Located at 1125 Lincoln Road in Escanaba

Gordon Food Service Marketplace

The Michigan Works! Service Center in Escanaba recently partnered with Gordon Food Service Marketplace to fill over 23 new jobs in Escanaba. Well over 200 applications were collected and reviewed and interviews were conducted on site. "We were overwhelmed by the quantity and quality of applicants for the new store. We cannot say enough great things about the outstanding team at the Michigan Works! Service Center in Escanaba who went out of their way to assist us in the process." Tamara Walston, Recruitment Manager, GFS Marketplace.

GFS has quite an interesting history. In 1897, 23-year-old Isaac VanWestenbrugge, a Dutch immigrant, borrowed \$300 from his older brother Martin and started his business delivering butter and eggs in Grand Rapids. GFS has traveled this journey from delivering butter and eggs via horse and wagon to GFS' current distinction as the largest independent foodservice distributor in America. In 2001 they are coming to Escanaba! GFS is still family-owned and committed to its customers and employees. With over 81 stores strategically located in 4 midwestern states, GFS Marketplace is a wonderful new addition to our area. Residents will soon be able to take advantage of a marketplace that is dedicated to providing superior customer service and restaurant quality foodservice products.

GFS Marketplace stores are open to the public and do not require a membership fee. Stores serve foodservice operators who prefer to pick up their products including: restaurants, churches, day care providers, service clubs, caterers, adult foster care facilities, convenience stores and concessionaires. Party planners and fundraising groups also find products that

meet their needs at GFS Marketplace. Stocked with nearly 2,500 of the most widely used foodservice items, customers can depend on their inventory to meet their needs. Produce, dairy, frozen foods, meats, seafood, pork, poultry, baking items, canned goods, paper products, party decorations, janitorial supplies, light cooking equipment and more are available just around the corner. Over 10,000 more products can be ordered from the warehouse for delivery to the store within 24-48 hours.

Their knowledgeable trained staff is ready to help you with special requests, product information and menu planning. They are prepared to help customers plan special occasions for the home or office with menu ideas and serving suggestions. At GFS Marketplace they take pride exceeding their customers' expectations.

GFS' cornerstone values keep them focused on "what's important in life" as they serve their customers and work with employees.

- Customer is King
- Networking Organization: Initiative, Teamwork, Decision-Making
- Everyone is Important: Focus on Individual Excellence
- Rewards for Performance: Financial Incentives, Recognition
- "War Room Mentality": Low Cost Producer, Emphasis on Results and Integrity
- Integrity: Customers, Employees, Suppliers
- Philosophy of sharing ideas: Profit sharing

The new store in Escanaba will open near the end of October. The Marketplace will not only be a great place for area residents to work but will meet many needs of consumers and business here in Delta County!



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Information Regarding the Bureau of Workers and Unemployment Compensation (The Unemployment Agency)

Your local Michigan Works! Service Center is not affiliated with the Bureau of Workers and Unemployment Compensations, but we do work closely with the Bureau and will do our best to assist you in whatever way that we can.

FORMS- You may obtain a Benefit Claim Form by stopping by the Bureau of Workers and Unemployment Compensation office, or by stopping by your local Michigan Works! Service Center. The form can also be downloaded from www.michigan.gov/bwuc

QUESTIONS ON AN EXISTING CLAIM- For information regarding an existing claim, please call the MARVIN automated system toll-free at 1-866-638-3993, or call the Bureau's claim and hotline number at 1-800-638-3995 from 7 AM to 7 PM EST.

GENERAL QUESTIONS- If you need more detailed information regarding The Bureau of Workers and Unemployment Compensation, please call the toll free hotline at 1-800-638-3995 from 7 AM to 7 PM EST, or visit their website at www.michigan.gov/bwuc

Clare Bedding helps to provide our area with firm mattresses as well as a firm local economy

Since 1936 the people at Clare Bedding in Escanaba have very quietly been producing a large number of high quality mattresses and box springs and bringing millions of dollars into our area. Many people may not know how much this company influences the economy of Delta County and the Upper

Peninsula. With their goal of increasing their market share in Michigan, Wisconsin and Illinois, this positive influence is sure to continue and grow.

*Workers at the Clare Bedding factory
assembling mattresses*

Michigan Works! is proud to work with the team at Clare Bedding. Recently the staff at the Michigan Works! Service Center in Delta County has assisted the company with recruiting and screening qualified applicants, employee handbook, employment law posters, employment applications and a variety of human resource related services. Don Balsavich says of the Michigan Works Services "Michigan Works! has proven to be a tremendous asset to our company, an extension of our human resources department. They continue to work closely with our management staff to keep us in compliance with ever-changing state and federal guidelines."

Clare Bedding is 1 of 14 domestic factories that produce Restonic products. There are an additional 17 international factories in countries such as Australia, The Dominican Republic and Korea. The mattresses made here in Escanaba ship regionally, primarily in Michigan, Wisconsin, and Northern Illinois. Clare Bedding is located strategically at the tip of Lake Michigan and can therefore very effectively serve these areas.

With an average daily production of 200 beds a day, the semi-trucks are constantly running and there is a lot of activity happening on Stephenson Avenue. Out of all the domestic factories, Clare has the highest average unit price. This is attributed to their commitment to the highest possible quality, customer service and continuous improvement. Clare Bedding has bragging rights to having the fewest returns of product, not only in their company, but also in the industry as a whole. Industry wide the average rate of return is about four to six percent, Clare bedding's average is only ¼ of one percent. They attribute this to a number of quality control systems used exclusively by their factory. These include using the highest quality raw materials available such as the use of heavy mill plastic to wrap products and cardboard boots to protect the corners of the mattresses and box springs.

One of the unique products produced at Clare Bedding is the "Marvelous Middle" on the Comfort Care Mattress line. It really is marvelous too; this is one comfortable and durable mattress. The trick is extra support in the center third of the mattress. The center third of the innerspring is reinforced with additional tempered steel coils to provide 25% more center support, preventing sagging. High-density foam creates a firmer edge, preventing edge breakdown and allowing a complete edge-to-edge sleeping surface. The patented stitching process anchors the comfort layers to the innerspring in the center third to prevent body impressions and upholstery fatigue. The exclusive and lifetime guaranteed blue watch band steel spring used in Flexsteel seating furniture is also used in conjunction with the company's exclusive Flexsteel mattress sets to deliver unmatched durability and resiliency in a sleep set foundation.

Continuous Improvement is a priority in Escanaba's Clare Bedding. In the initiative administered by their corporate representatives, Escanaba has been the number one factory since the initiative began. This is because they refuse to use short cuts.

Their niche is quality and that is apparent in the materials they use in the products. These materials include such components as: wool from New Zealand; high quality latex foam; jacquard fabrics from Europe; and Dacron fiber that will not compress, compact or migrate through the pad.

The factory is also run in an environmentally sound manner. On average, eighty to ninety percent of scrap is recycled. This includes: scrap foam and trim; cardboard, insulation pads and even scrap metal bands and defective springs. Everything is sorted, separated and bagged up to go off to its respective recycling facility all at no profit to the company. They just break even on the effort.

Clare Bedding supports our local community in a wide variety of ways. From supporting area school sewing classes with needed fabric and tours of the factory, to donations for fundraisers. The Alliance Against Violence and Abuse, Holy Name School, U.P. Whitetails, Delta Area Chamber of commerce, Eskimo Fan Club, Red Cross or other special projects, Clare Bedding is certainly a good corporate citizen and a real credit to our area.

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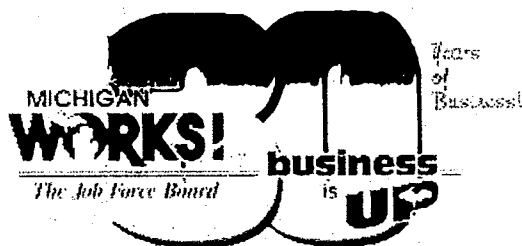
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The Job Force Board is asking for your support in getting our veterans back to work. The U.S. Department of Labor and the President's National Hire Veterans Committee are kicking off a nationwide campaign entitled "Hire Vets First" on September 9, 2004... [Read Rest of Letter](#)

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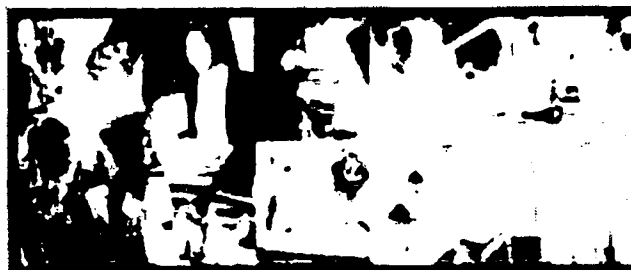
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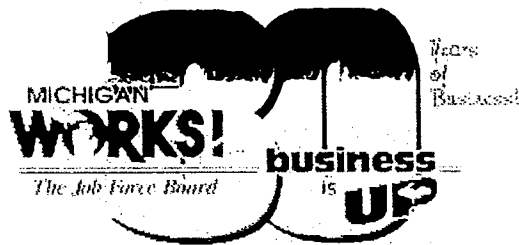
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The Electrical Line Technician Program is a one-year technical diploma program that prepares students to install, maintain and operate electrical systems to supply energy to residential, commercial, industrial customers and joint gas and electric underground generation facilities. This diploma is offered by Northern Michigan University.

For an application or more information call (906) 226-9658 or (888) 578-6489 or visit www.lscpfoundation.org and click on Midwest Skills Development Center or visit www.nmu.org.

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About Us:

The **Job Force Board** is a business-led policy and oversight organization responsible for creating a comprehensive, community-wide response to the challenges of building a highly skilled workforce and a competitive regional economy. As a convener of community leaders or stakeholders, the **Job Force Board** engages in an ongoing strategic planning process to identify strategies, actions and measurements that will create and maintain a healthy and growing economy, equipped with a local workforce that has the knowledge and skills needed by business in a technological and competitive marketplace. The result will be to draw from a vibrant pool of skilled workers enabling business and industry to thrive year-round. In turn, this business vitality creates the potential for higher paying jobs; thus improving the overall regional economy.

The strategic role of the **Job Force Board** is to define strengths, weaknesses, opportunities and threats in our region. We focus on desired economic and workforce development results in all segments of the community, develop short and long-term community goals for workforce development and also encourage community involvement.

Businesses' workforce requirements shape the goals of the **Job Force Board** and the **Michigan Works! Service Center System**. By listening to businesses, the board is able to direct the workforce toward value-added, career preparation services, and toward education and training that produces marketable skills that are in demand for those businesses.

Upcoming Events.....

BUSINESS AFTER HOURS

Sponsored By: Delta Chamber, Michigan Works!

& Carne's BP and Bubble Car Wash

Where: Terrace Bay Inn

When: Wednesday, May 28th

Time: 5:30-7:30 p.m. EST



Michigan Works!

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American Eagle

OPEN HOUSE

Looking for a Great Career with a Great Company. Right Here?

DATE: Thursday, May 29, 2008

PLACE: American Eagle Airlines Maintenance Facility

Learn more about training and career opportunities. RSVP to Julie (Marquette) at 906.228.3075

or Laurie (Escanaba) at 906.789.9732 by Wednesday, May 21, 2008.

For more information, visit www.michiganworks.org or call 1-800-447-4411.

Click on the banner for more information!

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About Us:

The **Job Force Board** is a business-led policy and oversight organization responsible for creating a comprehensive, community-wide response to the challenges of building a highly skilled workforce and a competitive regional economy. As a convener of community leaders or stakeholders, the **Job Force Board** engages in an ongoing strategic planning process to identify strategies, actions and measurements that will create and maintain a healthy and growing economy, equipped with a local workforce that has the knowledge and skills needed by business in a technological and competitive marketplace. The result will be to draw from a vibrant pool of skilled workers enabling business and industry to thrive year-round. In turn, this business vitality creates the potential for higher paying jobs; thus improving the overall regional economy.

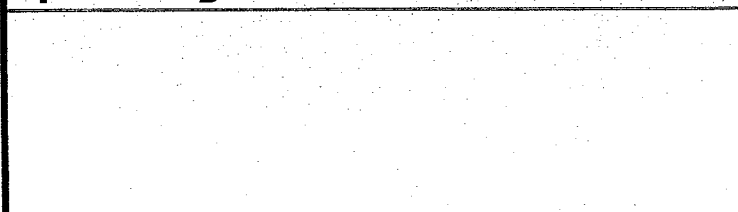
Businesses' workforce requirements shape the goals of the **Job Force Board** and the Michigan Works! **Service Center System**. By listening to businesses, the board is able to direct the workforce toward value-added, career preparation services, and toward education and training that produces marketable skills that are in demand for those businesses.

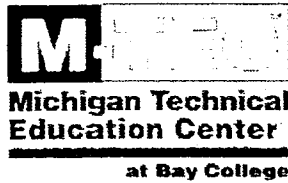
Enabling workers to acquire necessary skills to succeed in a competitive global economy is underway with the No Worker Left Behind initiative. Tuition assistance is available to help unemployed or workers in lower wage jobs to obtain training in high demand occupations within the central Upper Peninsula. The demand occupation training list can be found on the "Job Seeker" page. For more information on No Worker Left Behind click on the link below.



[Click here to view video about some of our Upper Michigan business Success Stories](#)

Upcoming Events.....





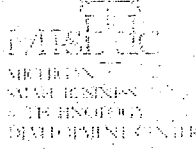


8th Annual Health & Safety Conference

When: January 30, 2009
Where: Bay College Joseph Heirman Center
Time: 8:00 am - 4:30 pm


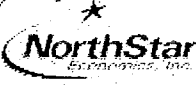
For more information Contact Mary Dittrich at 906.786.6902 or
or 800.221.2001 ext 1227 or by emailing dittrichm@baycollege.edu

To Visit M-TEC's Website Click [HERE!](#)





ECONOMIC STUDY FOR THE UPPER PENINSULA MICHIGAN / WISCONSIN BORDER REGION



[Click Here for Community Input to Economic Impact Study](#)

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1151 Chicago Avenue
Escanaba, MI 49829

Phone: 906.786.1551 Fax: 906.786.4661

www.jobforce.org

Michigan Works! can provide community service providers

with the following services available to individuals with disabilities:

Michigan Paid Services 1-800-441-3777, VOICED and TDD: 906-786-4671 TOLL FREE 1-800-221-2001



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UPPER MICHIGAN
green
AVIATION COALITION

MICHIGAN
WORKS!
business
is **UP**
The Job Force Board

T L K E

EXPLORER
SUCCESSION

SBA
U.S. Small Business Administration

Funded by an SBA
Innovative Economies Award

Upper Michigan Aviation Coalition Presents:
"The Green Aviation Conference Series"
Closing Event - July 12, 2011

Registration from 1:00 P.M. to 4:30 P.M. EST
Followed by a Cocktail Networking Reception

Michigan Technological
University Rozsa Center
1400 Townsend Drive
Houghton, MI 49931

For more information, please click here!

CLICK HERE TO REGISTER!

1-800-552-4808 • www.jobforce.org
Equal Opportunity Employer Michigan Relay Center (1-800-659-3777)
Auxiliary Aids & Services Available to Individuals with Disabilities
Affiliated with the Michigan Department of Energy, Labor and Economic Growth
© Michigan Works! JFB 2011



OPEN HOUSE & TOUR

Local Jobs, Local Training

Research & Development Facility

Learn more about Bay
College's CAD - Computer
Aided Design Program

Tour EMP's R&D Facility

Hear from other UP
companies who hire
CAD operators



DATE: Friday, July 29, 2011

Session 1: Begins 9:30am

Session 2: Begins 1:30pm

PLACE: Engineered Machined Products
Research & Development Facility
2701 North 30th Street
Escanaba, MI 49829

EMP Website: <http://www.emp-emp.com/about/facilities/>

DID YOU KNOW?

- Bay has a CAD Program
- Go to www.baycad.us to learn more
- Many graduates work in the industry
- Local companies need CAD Expert

If you are interested in learning more about training and career opportunities available, or to register for this event, [PLEASE CLICK HERE.](#)



18000024003 www.employment.com
Open Opportunity Employer: Michigan Works! (18000024003)
Employment Assistance Available: No (18000024003)
Sponsored by the State of Michigan
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The Upper Great Lakes Education Legislative Summit & Economic and Workforce Development Summit

Save the Date! September 27-28, 2011



"Making Connections: Turning Vision into Action"

September 27, 2011

Social Networking at the Holiday Inn • Marquette

September 28, 2011

The Summit at Northern Michigan University

Agenda and Program to Follow

More Information Soon at

www.jobforce.org www.maresa.org

For more information, contact:
 MICHIGAN WORKS
 10000 Woodward Ave., Suite 200
 Detroit, MI 48202-3200
 Phone: (313) 963-2228
 Fax: (313) 963-2228

Equal Opportunity Employer. Michigan Relay (800) 486-3977.
 Auxiliary Aids and Services Are Available to Individuals with Disabilities. Page 4 of 5


UPEDA

UPPER PENINSULA ECONOMIC DEVELOPMENT ALLIANCE

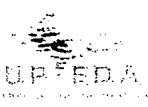
To Register for the September 8th

UPEDA Meeting


Please Click Here!



Michigan Works!
business
UP



UP-EDA
Upper Peninsula Economic Development Authority

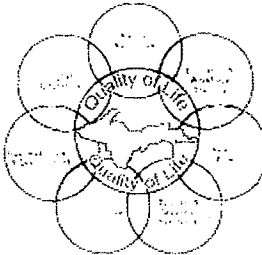



Michigan Works!
The Job Force Board

September 2009


**ECONOMIC OPPORTUNITY STUDY
FOR THE
MICHIGAN UPPER PENINSULA/WISCONSIN
BORDER REGION**

CLICK TO VIEW





NorthStar
Economic Inc.



MSA
Michigan State Association



PURE MICHIGAN

Michigan Economic Development Corporation

Why Michigan? Our case in 2 minutes

<http://www.michiganadvantage.org/Why-Michigan/>

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2950 College Avenue
Escanaba, MI 49829
Phone: 906-789-0558 Fax: 906-789-9957
mjwjob@jobforce.org
Michigan Works! is an equal opportunity service provider.
Auxiliary Aids and Services Available to Individuals with Disabilities.
Michigan Relay Services 1-800-649-3777 (VOICE and TTY), (888) 497-7311 V.O.I.C.E.
PRIVACY STATEMENT

EXHIBIT F

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

MICHIGAN JOB TRAINING)	
PARTNERSHIP ASSOCIATION)	Cancellation No. 92054155
)	
Petitioner,)	
)	Registration No. 3,598,442
v.)	
)	
DAVID E. HOFFMAN JR.)	
)	
Registrant.)	

**PETITIONER’S FIRST SET
OF REQUESTS FOR ADMISSION TO REGISTRANT**

Petitioner, Michigan Job Training Partnership Association, submits the following Requests for Admission to Registrant, David E. Hoffman, Jr., in accordance with Fed. R. Civ. P. 36 and Rule 2.120 of the Trademark Rules of Practice. Petitioner requests that Registrant admit to the truth of the matters stated in the following numbered paragraphs and respond in writing to Petitioner’s counsel, Brooks Kushman P.C., 1000 Town Center, 22nd Floor, Southfield, Michigan 48075, within thirty (30) days of service hereof. For the convenience of the Board and the parties, Petitioner requests that each Request be quoted in full immediately preceding the response.

In the following requests, the term “MIJT” refers to Petitioner, the term “Hoffman” refers to Registrant, and the term “Registration” refers to United States Registration No. 3,598,442.

REQUESTS FOR ADMISSION

REQUEST NO. 1.

Hoffman asserts that there is a likelihood of confusion between the mark JOBFORCE of the Registration and the use by MIJT of the marks JOBFORCE and THE JOB FORCE BOARD and MICHIGAN WORKS! THE JOB FORCE BOARD as used in connection with the respective services of Hoffman and MIJT.

ANSWER:

REQUEST NO. 2.

Hoffman made no use of the mark JOBFORCE in Michigan prior to the year 2000.

ANSWER:

REQUEST NO. 3.

Hoffman's use of the mark JOBFORCE is without the permission or consent of Petitioner.

ANSWER:

REQUEST NO. 4.

Hoffman has no evidence of actual confusion arising from MIJT's use of JOBFORCE or THE JOB FORCE BOARD or MICHIGAN WORKS! THE JOB FORCE BOARD.

ANSWER:

REQUEST NO. 5.

Hoffman has not made use of the mark "JOBFORCE" of the Registration in interstate commerce continuously from the year 1999 until September 23, 2008.

ANSWER:

REQUEST NO. 6.

Hoffman made no use of the mark JOBFORCE in Michigan prior to the year 2000.

ANSWER:

REQUEST NO. 7.

Hoffman generated no revenue from the performance of services in Michigan under or in connection with the mark JOBFORCE prior to the year 2000.

ANSWER:

Respectfully submitted,

By: /Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda
Attorneys/Agent for Petitioner

Date: January 20, 2012

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Tel: (248) 358-4400

CERTIFICATE OF SERVICE

I certify that I served:

**PETITIONER'S FIRST SET
OF REQUESTS FOR ADMISSION TO REGISTRANT**

on January 20, 2012 by:

X delivering (via email by agreement)

X mailing (via First-Class mail)

a copy to:

David E. Hoffman Jr.
PO Box 16265
Washington DC 20041
david@jobforce.tv

/Leon E. Redman/
Leon E. Redman
Elizabeth F. Janda